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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/09/2001

Anthony David Smith

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7590

01/10/2006

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EXAMINER

MULLEN, THOMAS J

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/890,893

Applicant(s)

SMITH ET AL.

Examiner

Thomas J. Mullen, Jr.

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2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/19/05 & 11/17/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-12 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The RCE filed 11/17/05 is acknowledged, and the amendment filed 9/19/05 has been entered and fully considered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 4 and 7-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams (US 4581634), or in the alternative under 35 U.S.C. 102(e) as being anticipated by Martin et al (US 5979754).

Note in Williams (Figs. 1-2, the Abstract, and col. 3, line 50 to col. 4, line 53):

electronic identification means (note "face badge reader" 10,12, having "video scanning means or camera" 54 to enable identification of a person's "identification card or badge" 48);

audio communications device ("speaker" 28 of a call box 26, and "two-way speaker" 56 of enclosure 12);

"common" physical communications system (note central wiring 11, Figs. 1 and 3; Williams stresses using "minimal wiring connections" in his system, col. 2, lines 5-9 and col. 3, lines 8-10, to overcome the problems associated with having "individual wires...connected between each control device (e.g. 10 or 26)...and the central control unit (14,16)"--col. 1, lines 55-59); and

physical area/region access control devices (note building entrance enclosure 18, having doors 20,22 and respective solenoid-operated door strike mechanisms 24,25, for "controlling access to (a) pre-determined area, such as a building interior"--col. 4, lines 2-3).

Note in Martin et al (Figs. 1-2, the Abstract, col. 3, line 10 to col. 4, line 21, and col. 6, line 7 to col. 7, line 44):

electronic identification means (note "guest room card reader" 55, to enable identification of a person's "general purpose credit card" 26, thereby enabling the credit card 26 to be used "as a guest room door key"--see col. 4, lines 14-16);

audio communications device ("intercom(s)", col. 4, line 10 and col. 7, line 22);

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"common" physical communications system (Martin et al teaches "utilizing any part of the existing electrical wiring system" of a hotel or motel, such as the wiring for an "intercom" system of the hotel or motel, to communicate "electronic identification" signals between the electronic identification means and a central computer 40, so as to "avoid the need for new wiring"--see col. 4, lines 7-11 and col. 7, lines 11-15 and 20-25); and

physical area/region access control devices (note door 65 in Figs. 2-4, representing the entrance to one of the "rooms" of the hotel or motel, and having a "door lock release apparatus" 60 which is in communication with the reader 55 to provide "controlled access" to the room).

As to claims 4 and 8, each of Williams and Martin et al disclose an "intercom"-type audio communications device (which is implicitly "bi-directional"), as discussed above.

As to claim 7, each of Williams and Martin et al disclose a remote computer or station (14,16 in Williams; 40 in Martin et al) for controlling elements of the system as needed, as discussed above (see in Williams, e.g., col. 4, line 56 to col. 5, line 2, and in Martin et al, e.g., col. 4, line 66 to col. 5, line 3, and col. 7, lines 30-33).

As to claims 9-12, in each of Williams and Martin et al the "access control device" is implicitly part of an overall "control system" or "monitoring system" (i.e., for entry to a building in Williams, and for registering at and accessing a hotel room in Martin et al), such that "installing" the control or monitoring system involves (or implicitly may involve) "installing" the access control device.

4. Claims 2-3 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin et al.

As to claim 2, as discussed above Martin et al uses a "card reader" as an electronic identification means.

As to claim 3, a further aspect of the "electronic identification means", in the overall "access control device" of Martin et al, is a registration terminal 20 (in communication with central computer 40) which includes a keypad 30.

As to claim 6, Martin et al further teaches that "data" signals sent between the card reader 55 and the central computer 40, for "electronic identification" purposes as discussed above, may be "cod(ed)" so as to be in a format which will "not interfere" with the signals conventionally

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sent over the single communications cable (see e.g. col. 7, lines 7-11), where the single (or "shared") communications cable may be an "intercom" link as discussed above.

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


6. This Office action is non-final.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

TJM


Thomas J. Mullen, Jr.
Primary Examiner
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